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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

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| | | |
|--|--|-------------------------------------|
| UTILITY PATENT APPLICATION TRANSMITTAL | | Attorney Docket No. 33154.9 |
| | | First Inventor Jay C. Engstrom |
| | | Title TREE CLIMBING APPARATUS |
| | | Express Mail Label No. EV19045571US |
| (Only for new nonprovisional applications under 37 C.F.R. 1.53(b)) | | |

22387 U.S. PTO
10/664109
09/17/03

| | | | |
|---|--|--|--|
| APPLICATION ELEMENTS <small>See MPEP chapter 600 concerning utility patent application contents.</small> | | ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231 | |
| <p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i></p> <p>2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages 11] <i>(preferred arrangement set forth below)</i> - Descriptive title of the Invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure</p> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 4]</p> <p>5. Oath or Declaration [Total Pages 2] a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) <i>(for a continuation/divisional with Box 18 completed)</i> i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p> | | <p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies</p> | |
| ACCOMPANYING APPLICATIONS PARTS | | | |
| <p>9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s))</p> <p>10. <input type="checkbox"/> 37 C.F.R. §3.73(b) Statement <input type="checkbox"/> Power of (when there is an assignee) Attorney</p> <p>11. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>13. <input type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.</p> <p>17. <input checked="" type="checkbox"/> Other: <u>Transmittal Cover Letter with Certificate of Express Mailing</u></p> | | | |

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP)

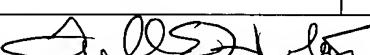
of prior application No: 10 / 042,785

Prior application information: Examiner Bruce Allen Lev

Group / Art Unit: 3634

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

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| <input type="checkbox"/> Customer Number or Bar Code Label | | 32300 <i>(Insert Customer No. or Attach bar code label here)</i> | or <input type="checkbox"/> Correspondence address below | | |
| Name | | | | | |
| Address | | | | | |
| City | | State | | Zip Code | |
| Country | | Telephone | | Fax | |
| Name (Print/Type) | | Gerald E. Helget | | Registration No. (Attorney/Agent) 30,948 | |
| Signature | |  | | Date 17 Sept 03 | |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)
402

| Complete if Known | |
|----------------------|--------------------|
| Application Number | N/A |
| Filing Date | September 17, 2003 |
| First Named Inventor | Jay C. Engstrom |
| Examiner Name | Bruce Allen Lev |
| Group / Art Unit | 3634 |
| Attorney Docket No. | 33154.9 |

| METHOD OF PAYMENT (check all that apply) | | | | FEE CALCULATION (continued) | | | | |
|--|--------------|-----------------|----------|--|--------------|----------|---|----|
| <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: | | | | 3. ADDITIONAL FEES | | | | |
| Deposit Account Number 023732 | | | | Large Entity | Small Entity | | | |
| Deposit Account Name Briggs and Morgan, P.A. | | | | | | | | |
| The Commissioner is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account. | | | | | | | | |
| FEE CALCULATION | | | | | | | | |
| 1. BASIC FILING FEE | | | | | | | | |
| Large Entity | Small Entity | Fee Description | | | | Fee Paid | | |
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | | | | |
| 1001 | 750 | 2001 | 375 | Utility filing fee | | 375 | | |
| 1002 | 330 | 2002 | 165 | Design filing fee | | | | |
| 1003 | 520 | 2003 | 260 | Plant filing fee | | | | |
| 1004 | 750 | 2004 | 375 | Reissue filing fee | | | | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | | | | |
| SUBTOTAL (1) | | | | (\$ 375) | | | | |
| 2. EXTRA CLAIM FEES | | | | | | | | |
| Total Claims | 23 | -20 ** | = | 3 | X | 9 | = | 27 |
| Independent Claims | 3 | -3 ** | = | 0 | X | | = | 0 |
| Multiple Dependent | | | | X | | | = | 0 |
| Large Entity | Small Entity | Fee Description | | | | Fee Paid | | |
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | | | | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 | | | | |
| 1201 | 84 | 2201 | 42 | Independent claims in excess of 3 | | | | |
| 1203 | 280 | 2203 | 140 | Multiple dependent claim, if not paid | | | | |
| 1204 | 84 | 2204 | 42 | ** Reissue independent claims over original patent | | | | |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent | | | | |
| SUBTOTAL (2) | | | | (\$ 27) | | | | |
| Other fee (specify) _____ | | | | | | | | |
| *Reduced by Basic Filing Fee Paid | | | | | | | | |
| | | | | SUBTOTAL (3) (\$ 0) | | | | |

** or number previously paid, if greater; For Reissues, see above

| SUBMITTED BY | | | | | | Complete (if applicable) |
|-------------------|---|----------------------------------|--------|-----------|--------------|--------------------------|
| Name (Print/Type) | Gerald E. Helget | Registration No. Attorney/Agent) | 30,948 | Telephone | 612-977-8480 | |
| Signature |  | | | Date | 17 Sept 03 | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re. Appln: Jay C. Engstrom
Serial No.: Not yet assigned
Filed: August 8, 2003
For: TREE CLIMBING APPARATUS
Group Art Unit: 3634
Examiner: Bruce Allen Lev
Attorney: Gerald E. Helget
Attorney Docket No.: 33154.9
Additional Fees: Charge to Deposit Account 023732
Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL COVER LETTER

Sir:

Enclosed for filing, please find the following:

1. Utility Patent Application Transmittal (1 pg.);
2. Fee Transmittal for FY 2003 (1 pg.);
3. Specification, claims and abstract (11 pgs.);
4. Four (4) sheets of formalized drawings;
5. Preliminary Amendment (7 pgs.);
6. A copy of a Declaration for Utility Patent Application (2 pgs.);
7. A copy of an Assignment recorded on January 9, 2002 on Reel 012477, Frame 0421;
8. A copy of an Information Disclosure Statement;
9. A check in the amount of 402.00; and
10. Postcard.

Respectfully submitted,

Dated: 17 Sept 03

By 
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Minneapolis, MN 55402
Telephone: (612) 977-8480

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Receipt No. EV190455717US, in an envelope addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

By 
Dated 17 Sept 03